IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 9175 of 1998

For Approval and Signature:

HON'BLE MISS JUSTICE R.M. DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : YES

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GULABSING BILDHAIYA SON OF UMRAVSING

Versus

AHMEDABAD MUNCIPAL CORPORATION & ORS.

Appearance:

1. Special Civil Application No. 9175 of 1998

MR UTPAL M PANCHAL for Petitioner

MR RM CHHAYA with

MR KIRIT I PATEL for Respondent No. 1

DELETED for Respondent No. 2-3

CORAM : HON'BLE MISS JUSTICE R.M.DOSHIT

Date of decision: 10/08/2004

ORAL JUDGEMENT

Heard the learned advocates.

The petitioner is a retired employee of the respondent-Ahmedabad Municipal Corporation [hereinafter referred to as, "the Corporation"]. The petitioner joined service of the Corporation as Professor in N.H.L Medical College. On reaching the age of superannuation, he retired from service on 14th June, 1995. The petitioner, however, claims that prior to his appointment in the year 1975, he had served as Dean in Gandhi Medical College at Bhopal {Madhya Pradesh} from 12th September, 1961 to 30th August, 1975. The period of fourteen years of service rendered in the State of Madhya Pradesh shall be considered qualifying service for the purpose of calculation of retiral dues.

The claim made by the petitioner is wholly misconceived. The Corporation cannot be directed to pay pension and other retiral dues to the petitioner for the services rendered by the petitioner under the State of Madhya Pradesh. The petition is, therefore, dismissed. Rule is discharged.

{Miss R.M Doshit, J.}

Prakash*